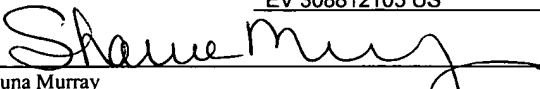


18351 U.S. PTO
022304

CERTIFICATE OF MAILING

I hereby certify that on February 23, 2004, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Commissioner for Patents, Mail Stop Application Number, P.O. Box 1450, Alexandria, VA 22313-1450.

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|---|--|
| 37 C.F.R. § 1.8(a) <input type="checkbox"/> with sufficient postage as first class mail | 37 C.F.R. § 1.10 p as "Express Mail Post Office to Addressee" Mailing Label No. EV 308812105 US |
|---|--|


Shauna Murray

Applicants: Lung-Ji Chang
Serial No.: 09/826,025
Filed: 04/04/2001
Title: COMBINATION
IMMUNOGENE
THERAPY
Examiner: Anne Mari Falk
Group Art Unit: 1632
Atty Docket No.: 14354-40

PATENT

22553 U.S. PTO
10/785577

022304

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CONTINUATION APPLICATION UNDER 37 CFR 1.53(b)

Commissioner for Patents
Mail Stop Application Number
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for filing a continuation/divisional application under 37 CFR 1.53(b), of pending prior application:

Serial No.: 09/826,025
Filed on: April 4, 2001
Entitled: COMBINATION IMMUNOGENE THERAPY
Inventors: Lung-Ji Chang

1. ☒ Enclosed is a copy of the latest inventor-signed specification of the prior application, including the oath or declaration as originally filed. I hereby verify that the papers are a true copy of the latest signed specification of the prior application number 09/826,025, filed April 4, 2001, and further that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like are made punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.
2. ☐ The preliminary amendment is enclosed.

The filing fee is calculated below on the basis of the claims existing in the prior application:

| | <u>Small Entity</u> | <u>Large Entity</u> | <u>Total</u> |
|------------------------------|---------------------|---------------------|--------------|
| Basic Fee | \$385.00 | \$770.00 | \$385.00 |
| Total Claims exceeding 20: 0 | \$9.00 | \$18.00 | |
| Indep. Claims exceeding 3: 0 | \$43.00 | \$86.00 | |
| Multiple Dep. Claims 0+ | \$145.00 | \$290.00 | |
| Total | | | \$385.00 |

3. The Power of Attorney in the prior application is to:

| | |
|-----------------------------|-------------------------------|
| Canter, B.M., Reg. 34,792 | Kirsch, Kevin W., Reg. 53,136 |
| Cullman, L.C., Reg. 39,645 | O'Connor, E. F., Reg. 25,903 |
| Heyninck, M.M., Reg. 44,763 | Swienton, B.F., Reg. 49,030 |
| | Weir, J.P., Reg. 43,253 |

whose address is:

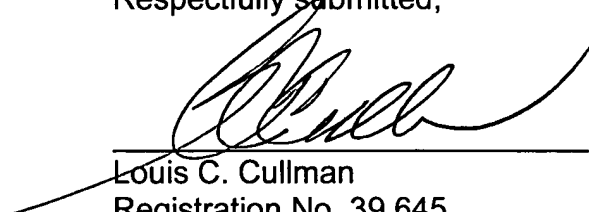
STRADLING Yocca CARLSON & RAUTH
660 Newport Center Drive, Suite 1600
Newport Beach, CA 92660
Attn: Louis C. Cullman
Telephone: 949.725.4000
Facsimile: 949.725.4100

4. Address all future correspondence to:

STRADLING Yocca CARLSON & RAUTH
660 Newport Center Drive, Suite 1600
Newport Beach, CA 92660
ATTN: Louis C. Cullman

Respectfully submitted,

February 23, 2004



Louis C. Cullman
Registration No. 39,645
Attorney for Applicants

STRADLING Yocca CARLSON & RAUTH
660 Newport Center Drive, Suite 1600
Newport Beach, CA 92660
Telephone: 949.725.4000
Facsimile: 949.725.4100

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 385.00

Complete if Known

Application Number 09/826,025
Filing Date 04/04/2001
First Named Inventor Lung-Ji Chang
Examiner Name Anne Marie Falk
Art Unit 1632
Attorney Docket No. 14354-40

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 50-1329

Deposit Account Name Stradling, Yocca, Carlson & Rauth

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|--------------|
| 1001 770 | 2001 385 | Utility filing fee | 385.00 |
| 1002 340 | 2002 170 | Design filing fee | |
| 1003 530 | 2003 265 | Plant filing fee | |
| 1004 770 | 2004 385 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | (\$) 385.00 |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 8 | -20** = 0 | 9 | 0 |
| Independent Claims | 1 | -3** = 0 | 43 |
| Multiple Dependent | | 0 | 0 |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 1202 18 | 2202 9 | Claims in excess of 20 |
| 1201 86 | 2201 43 | Independent claims in excess of 3 |
| 1203 290 | 2203 145 | Multiple dependent claim, if not paid |
| 1204 86 | 2204 43 | ** Reissue independent claims over original patent |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 420 | 2252 210 | Extension for reply within second month | |
| 1253 950 | 2253 475 | Extension for reply within third month | |
| 1254 1,480 | 2254 740 | Extension for reply within fourth month | |
| 1255 2,010 | 2255 1,005 | Extension for reply within fifth month | |
| 1401 330 | 2401 165 | Notice of Appeal | |
| 1402 330 | 2402 165 | Filing a brief in support of an appeal | |
| 1403 290 | 2403 145 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,330 | 2453 665 | Petition to revive - unintentional | |
| 1501 1,330 | 2501 665 | Utility issue fee (or reissue) | |
| 1502 480 | 2502 240 | Design issue fee | |
| 1503 640 | 2503 320 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 770 | 2809 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 770 | 2810 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 770 | 2801 385 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type) Louis C. Cullman Registration No. 39,645 Telephone 949-725-4154
Signature Date February 23, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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